

18 On March 12, 2007, the Court conducted a hearing on Plaintiff's motion for terminating  
19 sanctions. As the result of the hearing, the Court ORDERS the appointment of Mr. Tom Denver as  
20 the Special Master with the following powers:

21 1. Monitor discovery with respect to the inspection of the City of Monte Sereno's  
22 computers and servers; including but not limited to, physical presence during the  
23 examination.

24 2. Allow such additional discovery as deemed necessary in order to prepare for trial.

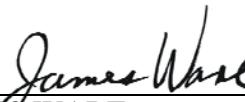
25 3. Resolve all discovery disputes, including but not limited to, disputes regarding the  
26 scope of the Court's previous discovery Order.

27 4. Establish a procedure for identification and disclosure of privileged documents for  
28 the Court's review.

1       5. The City shall bear all the expenses of the Special Master, unless the Special Master  
2       determines that Plaintiffs' conduct is contributing to delay in proceedings from the  
3       date of this Order until discovery is completed. In such event, the Special Master  
4       shall make the appropriate recommendations with respect to division of costs.

5       The parties shall contact Mr. Denver, at (408) 280-7883, no later than ten (10) days from the  
6       date of this Order to commence the computers' examination process.

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8       Dated: March 16, 2007

  
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JAMES WARE  
United States District Judge

**United States District Court**  
For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Darla Kaye Padgett [Actiontkr@aol.com](mailto:Actiontkr@aol.com)  
3 Joseph C. Howard [jhoward@hrmrlaw.com](mailto:jhoward@hrmrlaw.com)  
3 Todd H. Master [tmaster@hrmrlaw.com](mailto:tmaster@hrmrlaw.com)

4 **Dated: March 16, 2007**

5 **Richard W. Wieking, Clerk**

6 By: /s/ JW Chambers  
7 Elizabeth Garcia  
8 Courtroom Deputy

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